

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CAMP SCANDINAVIA AB, PETER
ALLARD HOLDING AB, and LIGHT
WEIGHT SUPPORT AB,

Case No. 07-14925

Plaintiffs/Counter-Defendants,

Honorable John Corbett O'Meara

v.

TRULIFE, INC., and TRULIFE, LTD.,

Defendants/Counter-Plaintiffs.

ORDER GRANTING MOTION FOR CLARIFICATION

This matter came before the court on Defendants' May 29, 2009 motion for clarification of the court's May 15, 2009 order that, among other things, denied their motion for leave to amend their answer. No response was filed, and no oral argument was heard.

Plaintiff Camp filed a motion for summary judgment January 23, 2009, asserting that the parties' 2006 Agreement did not allow Trulife to make and sell its Matrix Max AFO. On April 6, 2009, defendant Trulife filed a motion for leave to amend its answer "to more particularly plead its contract defense, plead new inequitable conduct defenses, and plead a new unclean hands defense." Trulife br. at 1. The court granted Plaintiff's motion for summary judgment and denied Trulife's motion to amend its answer on May 15, 2009.

Although Trulife based its contract defense on the 2006 Agreement, the proposed inequitable conduct and unclean hands defenses were not based on the Agreement. Instead, Trulife claims that the bases of those defenses were facts Trulife learned in discovery from Camp in January and February 2009. Id. There being no objection to this motion from Plaintiff, the court will grant

Trulife's motion for clarification and allow Trulife to amend its answer to include inequitable conduct and unclean hands defenses.

ORDER

It is hereby **ORDERED** that Defendants' May 29, 2009 motion for clarification is **GRANTED**.

s/John Corbett O'Meara
United States District Judge

Date: June 23, 2009

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, June 23, 2009, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager